

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

MAR 22 2013


**NOTICE OF MOTION TO SUBPOENA THE BOOKS AND RECORDS OF BLMIS and
BERNARD L. MADOFF and MOTION TO SUBPOENA THE RECORDS OF SIPC and
THE TRUSTEE CONCERNING THE CUSTOMERS AND PAYMENTS TO
CUSTOMERS AND HOW THEY WERE DETERMINED TO BE CUSTOMERS OF
BLMIS**

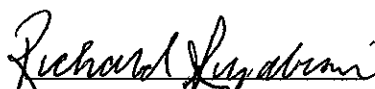
We, Steven Surabian, Richard Surabian and Martin M. Surabian ("Surabians") as direct depositors with BLMIS as claimants and customers having interest and having our eight claims denied by the Trustee as not being customers because the Trustee claims the Surabians were not in the Books and records of BLMIS and were not paid as other customers the Trustee claims were listed, Motion this Court to Subpoena the Books and Records of BLMIS and Bernard L. Madoff along with the Records of SIPC and the Trustee Concerning the Customers and Payments to Customers and How they were Determined To Be Customers of BLMIS were served on March 18, 2013 by US Mail. Hearing date should be combined together with the hearing to Subpoena Bernard L. Madoff along with other Motions to be held on April 11, 2013 before the Honorable Burton R. Lifland.


PLEASE TAKE FUTHER NOTICE that written objections to the motions must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, NY 10004 by no later than **4:00 p.m. on April 1, 2013** (with a courtesy copy delivered to the chambers of the Honorable Burton R. Lifland) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, NY 10111, attn: David J. Sheehan, (b) the Securities Investor Protection Corporation, 805 Fifteenth Street, NW. Suite 800, Washington, DC 20005, attn: Kevin H. Bell, Esq. (c) Steven Surabian, 1230 Rt. 28, S. Yarmouth, MA 02664, (d) Richard Surabian, P.O. Box 397, W. Hyannisport, MA 02672 and (e) Martin M. Surabian, C/O Steven Surabian, P.O. Box 397, W. Hyannisport, MA 02672. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific bases of any objection to the Motions.

PLEASE TAKE FUTHER NOTICE that replies to objections, if any, must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, NY 10004 by no later than **4:00 p.m. on April 11, 2013** (with a courtsey copy delivered to the chambers of the Honorable Burton R. Lifland), and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, N.Y. NY 10111, Attn: David J. Sheehan, (b) SIPC, 805 Fifteenth St. NW. Suite 800, Washington, DC 20005, attn: Kevin H. Bell, Esq. (c) Steven Surabian 1230 Rt. 28 S. Yarmouth, MA 02664.

Dated: March 18, 2013


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(508) 688-4613


Richard Surabian Pro Se
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Martin M. Surabian Pro se
Deceased

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,
Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

MAR 22 2013

**CLAIMANTS MARTIN M. SURABIAN, RICHARD SURABIAN and STEVEN
SURABIAN'S MOTION TO SUBPOENA THE BOOKS AND RECORDS OF BLMIS and
BERNARD L. MADOFF and MOTION TO SUBPOENA THE RECORDS OF SIPC and
THE TRUSTEE CONCERNING THE CUSTOMERS AND PAYMENTS TO
CUSTOMERS AND HOW THEY WERE DETERMINED TO BE CUSTOMERS OF
BLMIS**


NOW COMES the Claimants Martin M. Surabian, Richard Surabian and Steven Surabian's
Motions to Subpoena the Books and Records of BLMIS and Bernard L. Madoff and SIPC and
the Trustee Irving H. Picard Concerning the Customers and Payments To Customers and How
they were Determined To Be Customers of BLMIS. In Support is the following:


1. The Claimants, Martin M. Surabian, Richard Surabian and Steven Surabian ("Surabians")
are proceeding Pro se.
2. The Surabians opened their eight accounts in BLMIS directly with Bernard L. Madoff.
3. The Trustee denied the Surabians claims based on his claim that the Surabians were not in
the Books and Records of BLMIS.

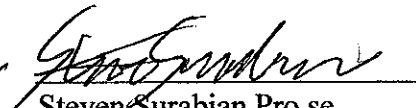
4. The Trustee has claimed that Customers were determined based on the Books and Records of BLMIS.
5. The Trustee has claimed that Customers were payed prorated their share based on the Books and Records of BLMIS.
6. The Trustee has not Supplied to the Surabians or for their information the Court with the names of those he determined to be Customers or the amounts paid those customers based on the Books and Records of BLMIS.
7. The Trustee refuses to allow the Surabians claims and the Surabians need these Books and Records to see were their assets may have gone and to show this Court that they did invest with BLMIS and should be paid their shares, same as the Trustee paid to others based on these records.
8. The Books and Records are essential to the Surabians and to all alleged customers and deposits at BLMIS.
9. The Surabians never received the Trustee's Motion to have the Surabians claims Expunged and because of such the Surabians never file an Objection at the time nor did they attend the Motion hearing they were lead to believe did not concern them and as such their claims were expunged which they now filed a motion for Late Appeal and Motion to Vacate Expungement Judgment and Order.

WHEREFORE, the claimants pray that for justice that their Motions are Granted and this Court issue a Subpoena for SIPIC and the Trustee Irving H. Picard to supply the Surabians with copies of all the records of BLMIS including but not limited to Customers and to supply the Surabians with the names of all Allowed Customers and how they were determined to be

customs and the amounts paid to those customers to date by BLMIS and or the Trustee.


Martin M. Surabian Pro se
P.O. Box 397
W. Hyannisport, MA 02672
Deceased

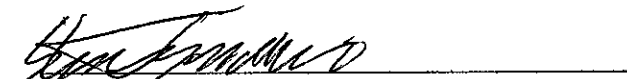

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Date: March 18, 2013

CERTIFICATE OF SERVICE

I certify that this 18th day of March, 2013, a true copy of the Notice and Motion was served by US Mail postage prepaid on (i) David J. Sheehan, Jorian L. Rose, Seanna R. Brown and Bik Cheema, Baker & Hostetler LLP, 45 Rockefeller Plaza, N.Y. NY 10111; and (ii) Kevin H. Bell and Nathanael S. Kelley, Securities Investor Protection Corporation, 805 15th St. NW. Suite 800 Washington, DC 20005 with a courtesy copy to the Chambers of the Honorable Burton R. Lifland.


Steven Surabian